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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/759,179	01/12/2001	Martin Hillebrand Bles	NL 000044	9984

24737 7590 09/05/2003

PHILIPS INTELLECTUAL PROPERTY & STANDARDS
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EXAMINER

KACKAR, RAM N

ART UNIT	PAPER NUMBER
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1763

DATE MAILED: 09/05/2003

13

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/759,179

Applicant(s)

BLEES, MARTIN HILLEBRAND

Examiner

Ram N Kackar

Art Unit

1763

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ____ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3 and 5-7 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-3 and 5-7 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-2 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Whitesides et al (US 5900160) in view of Biebuyck et al (US 5925259).

Whitesides et al disclose a stamp (Fig 3a) for use in a lithographic process, comprising a body (3a), a printing face (26), recesses with apertures (24), the recesses becoming narrower as the distance from printing face increases (3a) and projection of the recesses lying within the apertures (3a), the recess having a triangular shape (Fig 10 and Col 15 lines 39-49).

Whitesides et al do not expressly disclose recesses of different apertures especially third recess having an aperture at least five times the aperture of the first recess. However, in the real world applications the recesses are of different sizes, it would obviously be usable to pattern features of different sizes.

Biebuyck et al (Fig 2A) disclose a stamp with different sized apertures.

Therefore it would have been obvious to one of ordinary skill in the art at the time invention was made to have a stamp with varying number of recesses and varying recess apertures depending upon the features needed. If that includes three recesses with third recess aperture more than five times or more than 20 times the aperture of the first recess the stamp would obviously need to have it.

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3. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hawker et al (US 6413587) in view of Maracas et al (US 5937758).

Hawker et al disclose a micro contact-printing stamp but do not expressly disclose feature size to be less than 1 μm .

Maracas et al disclose a stamp with micron /sub micron feature size (Col 3 line 22-25 and Col 8 line 17-18).

As feature size in integrated circuits is being required to be more and more narrower, it would have been obvious for one of ordinary skill in the art at the time invention was made to make the stamp of Hawker with sub micron feature size to be able to pattern sub micron features.

4. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Whitesides et al (US 5900160) in view of Biebuyck et al (US 5925259).

Whitesides et al disclose a method of manufacturing a stamp for use in a lithographic process (Fig 8a-9f Col 14 line 28 to Col 15 line 19) which includes anisotropic etching of a surface, to produce a recess which becomes narrower as its distance to the original surface increases (Fig 8d and Col 15 line 10-19), its projection always lying in the aperture and making a replica of the patterned mold surface (Fig 9d-e and Col 14 lines 65-66).

Whitesides et al do not expressly disclose recesses of different apertures. However the method of manufacturing a stamp of different apertures would be to use masking of different apertures. The disclosed method of anisotropic etching will make a triangular etch of deeper proportion for larger area exposed to etch compared to a smaller area.

Biebuyck et al (Fig 2A) disclose a stamp with different sized apertures.

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Therefore it would have been obvious to one of ordinary skill in the art at the time invention was made to have a stamp with varying recesses to micro print features of varying dimensions.

5. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Whitesides et al (US 5900160) in view of Whitesides et al (Article Soft lithography Angew. Chem. Int. Ed. 1998, vol. 37 pages 551-575).

White sides et al disclose replica from a master as in claim 6 but do not disclose expressly that a replica could be made of a stamp body. However Whitesides et al in their article (page 562- 4.1 A) show that method of making replica of a rigid mold as well as an elastomer mold had been demonstrated at nanometer scale.

Therefore making a replica of stamp body of claim 6 would have been obvious to one of ordinary skill in the art at the time invention was made so as to be able to pattern with the same polarity as the original stamp.

Response to Amendment

6. Applicant's arguments filed 07/24/2003 have been fully considered but they are not persuasive.

Applicants have repeated the argument that Whitesides fails to recite or suggest recesses of different apertures. However, having stamp print surface recesses of different apertures would be obvious because in real commercial applications the features to be patterned may not all be of same size. For example Biebuyck et al disclose a stamp where the printing surface recesses are of different aperture size.

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Applicant argues that the stamps disclosed by Whitesides are not useful for printing. Stamps of elastomeric material may be affected by large stamping pressure, and are supposed to be used when the pressure is within acceptable limits. In fact Whitesides discloses them to be used for making grating (Fig 10 and Col 15 lines 39-49). They may sometimes be used by purposely deforming (Fig 3c). However, this point is not relevant to the claim of the method of making the stamp.

Applicants remarks regarding through holes in the master of Fig 9 is not understood, so is any inference drawn from this. However, applicant's assertion that Whitesides fails to recite or suggest that structures of different sizes could be printed, is not agreed to.

Whitesides discloses printing different sized structures (Fig 2a-2e and 4a-4d etc). It is apparent from Biebuyck et al that the printed size will depend upon area of contact (Fig 1A-2B).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ram N Kackar whose telephone number is 703 305 3996. The examiner can normally be reached on M-F 8:00 A.M to 5:P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory Mills can be reached on 703 308 1633. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703 308 0661.


GREGORY MILLS
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